

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, JULY 26, 2016

MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 6:30 PM

6:30PM - CALL TO ORDER

The Board of Selectmen will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3; to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, and Paragraph 6; to consider the purchase, exchange, lease or value of real property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body.

- ❖ Entergy Land
- ❖ Library Negotiations

7:24PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
 Anthony F. Provenzano Jr, Vice Chairman
 John Mahoney
 Sean Page
 Shelagh Joyce

 Melissa Arrighi, Town Manager

7:25PM – PUBLIC COMMENT

Steve Lydon mentioned his disappointment that the Manomet Youth Center asked for another \$4500 saying it was improper planning. He commended the Town Manager's Office for paying the bills but hoped that it never happened again.

Richard Rothstein came up and wanted to thank the Town, specifically DPW, for re-paving Old Sandwich Road. He said he's heard a lot of nice things said and he also thanked Keven Joyce for his help in keeping this project moving.

Kevin Lynch came to the podium and asked the Selectmen if they could put together a statement for each decision that they make explaining their reasoning. He went on to say that the tax-payers have a right to know why and how issues are being voted, not just the Board of Selectmen, but all Boards and Committees. He also handed out a draft of his proposed Committee called the Plymouth Coalition of Concerned Citizens. He proposed that the group meet every other month but aired his concern that they would be charged rent to hold his meetings in public buildings. He felt tax-payers already pay for these buildings and should not be charged for the use of them. He finished with a quote from the Gideon Bible..."my people perish for a lack of knowledge".

7:33PM – PUBLIC HEARING – *Red Tea Garden (License Transfer)*

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 11 Lincoln Street, on Tuesday, July 26, 2016 at 7:10pm to consider the application for a transfer of an Annual All Alcohol Restaurant License from American Trading Corp d/b/a China Pilgrim Restaurant, 202 South Meadow Road, Yin-Lai Tang-Eng, Manager, to Red Tea Garden Inc d/b/a Red Tea Garden, 202 South Meadow Road, Shi Yong Xiao, Manager.

Description of premises is as follows: Glass front, commercial kitchen that's about 900 square feet, 4 bathrooms, 2 dining rooms that are about 2684 square feet with four walls.

Shi Yong Xiao came to the podium and explained what his restaurant was going to be like.

Anthony Provenzano Jr, Vice Chairman, asked what kind of experience he;s had running restaurants that hold Liquor Licenses.

Shi Yong Xiao replied by saying he has years of experience and currently has other restaurants in other locations such as Orange, MA and Pepperell, MA.

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved the Liquor License Transfer for Red Tea Garden, 202 South Meadow Road, Plymouth, MA Shi Yong Xiao, Manager. *Voted 5/0*

7:36PM – PUBLIC HEARING – *Rapid Refill (Continued from July 12, 2016)*

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be continued at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts on Tuesday, July 26, 2016 at 7:15pm to consider the application for a New Annual Wine and Malt Package Store License for MPG Corporation d/b/a Rapid Refill, 140 Samoset Street, Plymouth, Massachusetts, Ben Bolen, Manager.

Description of premises is as follows: The property contains 1.198 acres of land. The building has a convenience store and a Burger King inside. There is one access on the North side of the building and one access on the East side of the building.

Louis Cass came to the podium and introduced himself and his guests as Peter Garrett and Ben Bolen. He explained that Rapid Refill was adjacent to a Burger King and added that they plan on having only 5 beer coolers and 1 wine rack. He added that all of his employees are over the age of 18. Mr. Cass also said that the intent was not to have Rapid Refill be a destination to purchase beer and wine but rather the beer and wine would be a convenience. He explained that they accept customer's Stop & Shop Cards as they have made an agreement with the company to share points, so when many of their customer base come in order to use their Stop & Shop Cards they can get beer and wine as well. He finished by saying as a company they have licenses in four other locations and have never had a violation. He also presented the Board with a petition signed by their customers.

John Mahoney, Selectman, asked if the 5 beer coolers and 1 wine rack would be in addition to what they already have in the store.

Mr. Cass replied by saying no, they will be the coolers that already exist in the store and that they planned to move some of the other products around to make room for the beer and wine inventory. He added that there would not be any changes made the store or the building.

Chairman Tavares asked if anyone wanted to speak in opposition of this license transfer, and Steve Lydon came to the podium. Mr. Lydon asked if there were any research done to see if there was a need for this, stating that there is a liquor store in the Stop & Shop Plaza across the street and one in the Cumberland Farms just up the road.

Sean Page, Selectman, stated that he had mentioned that all employees were over 18, so Mr. Page asked who had access to their storage room where the beer and wine would be kept and how was that protected from the Burger King employees.

Peter Garrett, President of MPG Corporation d/b/a Rapid Refill, replied by saying that after hours there is a partition between Burger King and Rapid Refill, and that during the day when the partition is open their back storage room is kept under lock and key and that only Rapid Refill employees have access.

Before voting, Sean Page, Selectman, asked Melissa Arrighi, Town Manager, what the definition of “need” was when talking about public need verses convenience.

Melissa Arrighi replied by saying that she felt that a person’s convenience was included in the definition of need, and that a need can be convenient.

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a New Annual Wine and Malt Package Store License for MPG Corporation d/b/a Rapid Refill, 140 Somerset Street, Ben Bolen, Manager. *Voted 4/1*
By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Page-No, Joyce-Yes

7:47PM – TOWN MANAGER ANNOUNCEMENT

Melissa Arrighi, Town Manager, made an announcement that an Emergency Water Ban would be put into effect within the next day or two. This would mean all non-essential outdoor water use will be prohibited. Examples of non-essential water use would be irrigation of lawns by hand or sprinklers, washing vehicles other than by means of commercial car washes, and washing exterior buildings, parking lots, sidewalks and driveways. Ms. Arrighi said that we would post this information on the website, facebook and twitter and that the public would be made aware when the ban has been lifted.

7:49PM – ECONOMIC DEVELOPMENT UPDATE

Jessica Casey, Economic Development Director, came up to present an update to the Board of Selectmen on the economic growth in and around Plymouth. She began by framing what the Economic Development Department does such as:

- Support employment growth and diversification
- Increase and diversify the tax base
- Support workforce development opportunities
- Utilize existing infrastructure to greatest extent possible

Ms. Casey went on to explain how different variables can affect economic growth such as population, demographics, infrastructure and tax burden. She then discussed some of the economic development projects that have been going on recently such as:

- New Town Hall
- T-Wharf Reconstruction
- Cordage Park Redevelopment
- Water Street Promenade
- Maritime Facility

Jessica Casey finished by touching on some future opportunities for economic development:

- Community Development
 - Zoning – Industrial Parks
 - Underutilized Sites
 - Directing Private Investment
 - Housing Development
- People/Skilled Workforce
 - Expansion of Regional Organizations
 - Partnerships between Businesses, Academic Institutions, and Organizations
 - Outreach to Workforce and Businesses to assess Skillset
 - Public Transportation
- Business/Cluster Development
 - BlueTech and BlueEconomy Growth
 - Finance Support for Expanding Businesses
 - Marine Based Consortium, Aquaculture Lab and Hatchery

Sean Page asked Jessica what was being planned to revitalize the marina behind Cordage Park.....stating that years ago it was more useful to boaters. Mr. Page also asked if there were plans for dredging to allow for more boat traffic and growth with the development that is planned for the Cordage Park area.

Jessica Casey replied by saying yes, there has been many discussions about expanding the marina and dredging to allow the possibility of adding commuter ferries, small cruise ships and even the Tall Ships in 2020. She added that there's still a lot to plan for and that there is a two million dollar bond bill at the state level, but the cost for what they would like to dredge would be closer to three to four million dollars.

Jessica Casey thanked the Board of Selectmen and Town Manager for inviting her in to present the Economic Development Update.

8:23PM - LICENSES AND ADMINISTRATIVE NOTES

LICENSES

On a motion by Anthony Provenzano Jr and seconded by Sean Page, the Board approved a *One Day Wine and Malt License* for **Sodexho Operations d/b/a Creative Gourmet**, 137 Warren Avenue, for an Exhibit Opening Reception being held on August 5, 2016 from 6:00pm to 8:00pm at the Craft Center Building and Courtyard. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day Wine and Malt License for **Loretta LaRoche Productions**, 50 Court Street, Erik Christensen, Manager for a Jazz Show being held on July 31, 2016 from 4:00pm to 9:00pm at Studio G, Shops at 5 Way. *Voted 5/0*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved Petition #2132155 for **NSTAR/Verizon** to cover the installation of (2) four inch PVC Conduits (Concrete Encased) and Underground Cable and Conduit located on Bourne Road in Plymouth, MA. The installation is necessary in order to bring fiber service to the Future Generation Wind Project. *Voted 5/0*

On a motion by Sean Page and seconded by John Mahoney, the Board approved the following Licenses in conjunction with a request for an Annual All Alcohol Restaurant License for **Red Tea Garden Inc/. d/b/a Red Tea Garden**, 202 South Meadow Road, Shi Yong Ziao, Manager: *Voted 5/0*

- Comprehensive Entertainment - Radio
- Common Victualler
- Early Sunday Sales - 10:00am
- Extension of Hours - 1:00am

On a motion by John Mahoney and seconded by Sean Page, the Board approved a New Pedi-Cab Operator's License for **Plymouth PediCab**, 4 Freedom Street for the following driver:

- Nicholas Diaz, 13 Lamplighter's Lane, Plymouth, MA 02360. *Voted 5/0*

On a motion by Sean Page and seconded by John Mahoney, the Board approved a Vehicle for Hire Operator's License for **Special Occasion Limousine** for the following driver:

- Paul R. Franklin, 406 Bay Road, Duxbury, MA 02332. *Voted 5/0*

ADMINISTRATIVE NOTES

The Board signed and executed a **Declination to Exercise First Refusal Option to Purchase Land** under the provisions of General Laws Chapter 61, Section 8, for local within Dawn's Light in the Pinehills designated as lot 11-426, Lot 11-427, Lot 11-429, Lot 11-30, and Lot 11-431 constituting a portion of the current Assessor's Lot A-267 situated off of Sacrifice Road.

The Board appointed **Pamela L. Borgatti**, Town Treasurer, as the Custodian of the tax possession property as 227 Long Pond Road in order to hold a Public Auction. The Property as shown on Assessor's Map 84, Lot 10-2 is a parcel that was foreclosed on for non-payment of taxes in Fiscal Years 2011, 2012, 2013 and 2014.

The Board signed and executed a **PILOT Agreement** between MA Solar Highway and the Town of Plymouth for the solar field at the Route 3 Interchange at Exit 5 on Long Pond Road. The PILOT Agreement was voted on and approved at the April 2, 2016 Annual Spring Town Meeting under Article 5 of the Special Town Meeting Warrant.

On a motion by Anthony Provenzano Jr and seconded by Sean Page, the Board voted to open the **2016 Fall Town Meeting Warrant** on Tuesday, July 26, 2016 and to close on August 12, 2016 at 4:00pm. *Voted 5/0*

Chairman Tavares ask Christopher Badot, Administrative Assistant, to table the committee appointments until August 9, 2016. The Board agreed that the appointees need to be present in order to be appointed to a committee, even if it's a re-appointment.

8:27PM - COMMITTEE LIAISON / DESIGNEE UPDATES

Anthony Provenzano Jr, Vice Chairman, updated the Board on the Shichigahama Delegate and their planned visit. He said there will be a student exchange of 6th graders that will be staying at host homes and learn about our American culture. Mr. Provenzano shared that Plymouth will be hosting a dinner in the delegate's honor on August 2nd and urged the public if they see any of them walking around town to say hello and welcome them to Plymouth.

8:29PM - OLD BUSINESS / LETTERS / NEW BUSINESS

John Mahoney, Selectman, wanted to talk to Melissa Arrighi, Town Manager, about an email he received from Derek Brindisi, Assistant Town Manager, regarding a parcel of land at White Horse Beach. Selectman Mahoney said he did a site visit with Mr. Brindisi and David Gould, the Director of Marine and Environmental. He said that after that visit he felt that parcel would be very valuable for the Town to hold on to for access to the beach.

Melissa Arrighi said that Pam Borgatti, Town Treasurer, has been made aware not to auction that parcel off, so we are moving forward towards retaining that land.

Sean Page, Selectman, added that we should look into whether or not there are any easements on that parcel for better beach access.

8:10PM - ADJOURNMENT

On a motion by John Mahoney and seconded by Sean Page, the Board voted to adjourn the Open Session at 8:31pm and not reconvene in Executive Session. *Voted 5/0*
By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Page-Yes, Joyce-Yes

Recorded by: Christopher Badot
Administrative Assistant, Board of Selectmen